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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,119	02/13/2001	Jeremy Graham Harris	5181-81800	2215
7590	11/20/2003		EXAMINER	
B. Noel Kivlin Conley, Rose & Tayon, P.C. P.O. Box 398 Austin, TX 78767-0398			BONURA, TIMOTHY M	
			ART UNIT	PAPER NUMBER
			2184	

DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/783,119	HARRIS ET AL.
	Examiner Tim Bonura	Art Unit 2184

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 13 February 2001.
- 2a) This action is FINAL.                  2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,2 and 17-21 is/are rejected.
- 7) Claim(s) 3-16 and 22-28 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 13 February 0200 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                               | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2 and 5</u> . | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
2. The abstract of the disclosure is objected to because the term "Fig10" appears at the end of the abstract. Correction is required. See MPEP § 608.01(b).

### *Claim Objections*

3. Claims 4-16 and 22-28 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependant claim. See MPEP § 608.01(n). Accordingly, **the claims have not been further treated on the merits.**

### *Claim Rejections - 35 USC § 103*

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-2 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shipman, U.S. Patent Number 5,881,282. Regarding claim 1:
  - a. Regarding the limitation of "handling a trap in the event of an initial faulty access attempt to a resource being detected," Shipman does not teach a trap handler. However, Shipman does disclose a system with an initialization service that can use an address

pointer to set a starting address for a virtual mode execution monitor. (Lines 12-15 of Column 3). Shipman also discloses the ability to scan for add-on device and to initialize them. (Lines 55-60 of Column 3). It would have been obvious to one of ordinary skill in the art at the time of the invention initialization service can translate addresses from ROM device and initialize an add-on device associated with the address. This would have been obvious because computer systems are well known to associate address with computer devices.

b. Regarding the limitation of “trap handler for handling a trap in the event of a faulty resource access being detected,” Shipman discloses a system with a virtual mode execution monitor that has the ability to determine if a fake response is needed. (Lines 17-20 of Column 4).

c. Regarding the limitation of “diversion for subsequent access attempts to the resource and the address translation mechanism being responsive to instigation of a diversion by the trap handler to effect the diversion for subsequent attempts to access the resource,” Shipman does not teach a “diversion by the trap handler”. Shipman does disclose a system with a virtual mode execution monitor that has the ability to produce a response from an initialization task manager can be “misled” (Lines 17-24 of Column 4). The term “misled” is read as a false response to the initialization task manager so that the system does not crash. It would have been obvious to a person skilled in the art at the time of the invention that the system’s response to an initialization task that misleads the execution monitor is equivalent to a diversion by a trap handler. This would have been obvious because the execution monitor does not continue processes as though an add-on

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device is not retargetable and thereby can continue to send information to the address associated with the device. (Lines 10-16 of Column 4).

6. Regarding claim 2, Shipman discloses a system with an initialization service means to detect and initialize add-on devices of a system. (Lines 52-55 of Column 1). Each add-on device would have an address associated with it.

7. Regarding claim 17:

d. Regarding the limitation of "handling a trap in the event of an initial faulty access attempt to a resource being detected," Shipman does not teach a trap handler. However, Shipman does disclose a system with an initialization service that can use an address pointer to set a starting address for a virtual mode execution monitor. (Lines 12-15 of Column 3). Shipman also discloses the ability to scan for add-on device and to initialize them. (Lines 55-60 of Column 3). It would have been obvious to one of ordinary skill in the art at the time of the invention initialization service can translate addresses from ROM device and initialize an add-on device associated with the address. This would have been obvious because computer systems are well known to associate address with computer devices.

e. Regarding the limitation of "defining a diversion for subsequent access attempts to the same resource," Shipman discloses a system with a virtual mode execution monitor that has the ability to determine if a fake response is needed. (Lines 17-20 of Column 4).

f. Regarding the limitation of "diverting a subsequent attempt to access the resource," Shipman does not teach a diverting access attempts to resources. Shipman does disclose a system with a virtual mode execution monitor that has the ability to

produce a response from an initialization task manager can be “misled” (Lines 17-24 of Column 4). The term “misled” is read as a false response to the initialization task manager so that the system does not crash. It would have been obvious to a person skilled in the art at the time of the invention that the system’s response to an initialization task that misleads the execution monitor is equivalent to diverting access attempts to resources. This would have been obvious because the execution monitor does not continue processes as though an add-on device is not retargetable and thereby can continue to send information to the address associated with the device. (Lines 10-16 of Column 4).

8. Regarding claim 18, Shipman discloses a system that can process exceptions. (Lines 1-3 of Column 3).

9. Regarding claim 19, Shipman discloses a system with an initialization service means to detect and initialize add-on devices of a system. (Lines 52-55 of Column 1). Each add-on device would have an address associated with it.

10. Regarding claim 20, Shipman discloses a system that can set interrupts for a virtual mode that allows the virtual mode execution monitor to handle device that cause the system to suffer errors. (Lines 32-41 of Column 3).

11. Regarding claim 21, Shipman discloses a system that can set interrupts for a virtual mode that allows the virtual mode execution monitor to handle device that cause the system to suffer errors. (Lines 32-41 of Column 3).

***Allowable Subject Matter***

12. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tim Bonura**. The examiner can normally be reached on **Mon-Fri: 7:30-5:00, every other Friday off**. The examiner can be reached at: **703-305-7762**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Rob Beausoliel** can be reached on **703-305-9713**. The fax phone numbers for the organization where this application or proceeding is assigned are:

**703-872-9306 for all patent related correspondence by FAX**

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **receptionist** whose telephone number is: **703-305-3900**.

Responses should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, DC 20231**



NADEEM IQBAL  
PRIMARY EXAMINER

tmb

November 3, 2003

Tim Bonura  
Examiner  
Art Unit 2184